

CASE INFORMATION SHEET
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COUNTY AND COURT: CIRCUIT COURT, SARASOTA COUNTY, SARASOTA,
FLORIDA

NAME OF CASE:

BARBARA TYE, as Personal Representative
of the Estate of MICHAEL TYE,

Plaintiff,

v.

ARNOLDO PEREZ-SINGH, M.D., JOSEPH J. CREEVY, M.D.,
INTERCOASTAL MEDICAL GROUP, INC., ALEXANDER DEJESUS, M.D.,
SARASOTA REHAB ASSOCIATES, INC., and HEALTHSOUTH REHABILITATION
HOSPITAL OF SARASOTA, LLC,

Defendants.

CASE DOCKET NO.: 2014-CA-004684-NC **JUDGE:** Andrea McHugh

PLAINTIFF(S) ATTORNEY(S)/TRIAL COUNSEL:

Clancy Bounds
Kevin J. Carden
Bounds Law Group
1751 N. Park Avenue
Maitland, FL 32751

DEFENDANT(S) ATTORNEY(S)/TRIAL COUNSEL:

Richard S. Womble
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Attorneys for ARNOLDO PEREZ-SINGH, M.D., JOSEPH J. CREEVY, M.D.
and INTERCOASTAL MEDICAL GROUP, INC.

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11509 Palmbrush Trail
Suite 208
Lakewood Ranch, FL 34202
Attorneys for ALEXANDER DEJESUS, M.D. and SARASOTA REHAB
ASSOCIATES, INC.

AGE/SEX/OCCUPATION OF THE PLAINTIFFS:

Barbara Tye: 74 years old. Unemployed.

DATE, TIME AND PLACE OF ACCIDENT OR OCCURRENCE:

August 19, 2013 - August 28, 2013 at Intercoastal Medical Group, Sarasota Memorial Hospital, and Healthsouth Rehabilitation Center.

CAUSE OF INJURY:

On August 17, 2013 the decedent, Michael Tye, accidentally fell at a wedding reception. He had been on a blood thinning medication (Coumadin) for many years as of the date of his fall. As a result he developed a large hematoma in his left gluteal and left thigh areas.

On August 19, 2013 Mr. Tye presented to defendant, Intercoastal Medical Group, where he was seen by defendant, Arnoldo Perez-Singh, M.D., who was his primary care physician. Dr. Singh ordered tests to check Mr. Tye's blood's ability to clot due to his history of being on blood thinners. He also ordered a CT scan of the left hip. The results of the blood work were abnormal and Dr. Singh instructed Mr. Tye to stop his blood thinner. The CT scan confirmed the presence of a large hematoma.

Mr. Tye returned to see Dr. Singh on August 21, 2013 due to worsening of his left gluteal and left hip hematoma which was now extending down to his thigh. He was also experiencing episodes of lightheadedness and he was feeling weak. Dr. Singh admitted him to Sarasota Memorial Hospital where he corrected Mr. Tye's ability to clot his blood to what he felt to be an acceptable level. The treatment included transfusion of fresh frozen plasma as well as vitamin K.

On August 23, 2014 Dr. Singh discharged Mr. Tye to Healthsouth Rehabilitation Center for treatment by defendant, Alexander DeJesus, M.D., who is a physiatrist specializing in physical medicine and rehabilitation for individuals with functional disabilities.

On Monday, August 26, 2013, Mr. Tye was evaluated by defendant, Joseph Creevy, M.D. who is also employed by Intercoastal Medical Group. This was at the request of Dr. DeJesus to help manage dropping hemoglobin levels. Dr. Creevy saw Mr. Tye on August 26 & 27, 2013. When he saw him on August 27, 2013 Mr. Tye's hemoglobin had dropped from the previous afternoon which Dr. Creevy attributed to slow bleeding into the left hip and thigh. He told Mr. Tye and his wife that there was nothing he could do to stop the bleeding at that point.

On August 28, 2013 Mr. Tye died while participating in physical therapy. Plaintiffs contended that Mr. Tye died as a result of sever sustained bleeding in the soft tissues of his left buttock and left leg which resulted in him experiencing an acute arrhythmia.

NATURE OF INJURY:

Death.

PLAINTIFFS' EXPERT WITNESSES:

Kenneth Scissors, M.D. - Internal Medicine
Grand Junction, CO

Dr. Scissors testified that both Dr. Singh and Dr. Creevy deviated from the standard of care in the care they provided to Mr. Tye. Dr. Scissors testified that Dr. Singh breached the standard of care by not immediately reversing Mr. Tye's anticoagulation and admitting him to the hospital on August 19m 2013. He also testified that a surgical consultation should have been ordered and, once he admitted Mr. Tye to the hospital, Dr. Singh delayed reversing the effect of his Coumadin effect. Dr. Scissors also testified that Dr. Singh should not have discharged Mr. Tye to Healthsouth on August 23, 2013 because he was still actively bleeding.

Dr. Scissors said Dr. Creevy breached the standard of care by not immediately transferring Mr. Tye back to the hospital when he evaluated him on August 26, 2013 at Healthsouth. He also testified that a surgical consultation or interventional

radiology consultation should have been ordered along with an advanced radiology evaluation.

Dr. Scissors also testified that Mr. Tye died from a sudden cardiac arrhythmic death related to an ongoing bleed.

David Cossman, M.D. - Vascular Surgery
Los Angeles, CA

Dr. Cossman testified that Mr. Tye had a deep subfascial bleed which was caused by a tear of the gluteus maximus muscle. This caused him to bleed and develop an element of compartment syndrome. He testified that Mr. Tye more likely than not died due to continued bleeding.

Dr. Cossman further testified that a CT angiogram, if ordered and performed, would have revealed pathology which could have been successfully treated by coil embolization. Finally, he testified that Mr. Tye lost approximately two-thirds of his total blood volume.

Samuel Milton, M.D. - Physical Medicine and Rehabilitation
Atlanta, GA

Dr. Milton testified that Dr. DeJesus, as the attending physician at Healthsouth Rehabilitation, should have transferred Mr. Tye back to Sarasota Memorial Hospital once it became evident that Mr. Tye could not tolerate physical therapy and that his hemoglobin was dropping.

Jose Suarez-Hoyos, M.D. - Pathology
Tampa, FL

Dr. Suarez-Hoyos testified that Mr. Tye died from complications from an ongoing bleed into his left gluteal, left hip and left thigh areas. Dr. Suarez-Hoyos performed a private autopsy at the request of the family.

Fredrick Raffa, Ph.D. - Economist
Orlando, FL

Dr. Raffa testified that the economic loss due to Mr. Tye's death was approximately \$400,000.

DEFENDANTS' EXPERT WITNESSES:

Charles Edwards, M.D. - Internal Medicine
Tampa, FL

Dr. Edwards testified that Dr. Singh and Dr. Creevy appropriately managed Mr. Tye's hematoma, appropriately responded to his dropping hemoglobin and correctly reversed the effects of the Coumadin. He also testified that Mr. Tye was not actively bleeding when he was a patient at Healthsouth Rehabilitation facility. Any bleeding that had occurred due to his initial fall had stopped by the time he was discharged from Sarasota Memorial Hospital.

Stephen Butler, M.D. - General and Vascular Surgery
Plant City, FL

Dr. Butler testified that Mr. Tye was not a candidate for vascular surgery because he did not have an ongoing bleed and there was no vessel identified from which the blood loss would have been occurring. He also testified that Mr. Tye more likely than not died from a pulmonary embolism, not blood loss.

Matthew Berlet, M.D. - Interventional Radiology
Tampa, FL

Dr. Berlet testified that Mr. Tye was not a candidate for coil embolization or any other interventional radiology procedure.

Stephen Nelson, M.D. - Pathology
Winter Haven, FL

Dr. Nelson testified that Mr. Tye died from pulmonary embolism which occurred because he was off of his Coumadin due to the fact that he had fallen and had suffered bleeding.

Samuel Merritt, M.D. - Physical Medicine and Rehabilitation
Tampa, FL

Dr. Merritt testified that Dr. DeJesus met the standard of care. In his opinion Mr. Tye was medically stable when he was a

patient at Healthsouth Rehabilitation facility and there was no reason to transfer him back to Sarasota Memorial Hospital.

VERDICT:

Defense verdict for all defendants.

DATE OF VERDICT:

May 24, 2018.

FINAL JUDGMENT:

For all defendants.

DATE OF FINAL JUDGMENT:

June 4, 2018.

DEFENDANTS' OFFER:

\$0.

PLAINTIFF'S DEMAND:

Plaintiff's counsel in closing asked that the jury award \$7,000,000.

ATTORNEY'S COMMENTS:

None.

Submitted By: Richard S. Womble Date: September 24, 2018
 R. Clifton Acord II

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